

# Notice of Allowability

Application No.

10/044,500

Examiner

Zeev Kitov

Applicant(s)

FUJII ET AL.

Art Unit

2836

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/14/05.
2. ☒ The allowed claim(s) is/are 1 - 4, 6, 8, 9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **REASONS FOR ALLOWANCE**

Examiner acknowledges a submission of the amendment and arguments filed on July 14, 2005. Claims 1, 3, 4 and 6 are amended. Amendment and arguments have overcome rejections under 103(a).

The following is an examiner's statement of reasons for allowance:

An amended independent Claim 1 discloses, inter alia, an electrostatic chuck having a bonded structure comprising a ceramic member having an electrode in direct contact with said ceramic member, a metal member, and a bonding layer, said ceramic member and said metal member being bonded with said bonding layer. The closest reference for the claim is Matsunaga, which discloses an electrostatic chuck having a bonded structure comprising an electrostatic chuck ceramic member (element 22 in Fig. 1, col. 4, lines 1 – 18), a metal member (element 12 in Fig. 1), and a first and second bonding layers (elements 20 and 14 in Fig. 1); the first bonding layer is being bonded to the ceramic chuck, the second bonding layer is bonded to the metal member (element 12 in Fig. 1). However, the electrode (18 in Fig. 1) is not in direct contact with the ceramic member, as required by the claim language, but is separated by bonding layers (20 in Fig. 1). The Claim 1 recites the ceramic member itself having an electrode in direct contact therewith. Another reference, Tomaru, discloses the electrode (14 in Fig. 1) being in a contact with the ceramic member (12 in Fig. 1). However, this contact can hardly be considered as direct contact, since there is a thin layer of adhesive or primer

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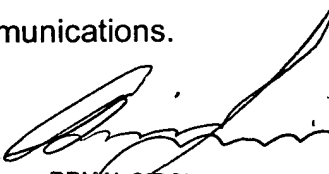
layer (20 in Fig. 1). Additionally, Tomaru teaches that to prevent reducing the thermal conductivity of the structure, "the thickness of the adhesive a primer layer should preferably be in the range of 0.1 to 30  $\mu\text{m}$ ". In view of specific teaching in Tomaru, that the amount and thickness of the adhesive/primer between the ceramic insulating layer and the metal plates, if provided, should be small and no greater than 30  $\mu\text{m}$ , one of ordinary skill in the art would not have been motivated to modify the adhesive/primer layer to include multiple layers.

Allowability resides, at least in part, in the above-described limitations, which has not been disclosed in the Prior Art in a search.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zeev Kitov whose telephone number is (571) 272-2052. The examiner can normally be reached on 8:00 – 4:30. If attempts to reach examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571) 272 – 2800, Ext. 36. The fax phone number for organization where this application or proceedings is assigned is (571) 273-8300 for all communications.

Z.K.  
09/30/2005



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